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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

**See The American Inventors Protection Act of 1999 (AIPA).**

Application Number	10/821,848
Filing Date	April 12, 2004
First Named Inventor	Kazuhiko MIYATA et al.
Group Art Unit	2614
Examiner Name	Con P. Tran
Attorney Docket Number	0756-7278

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- Previously submitted
  - Consider any previously filed and unentered Amendments and Information Disclosure Statements, including the amendment(s)/reply and/or Information Disclosure Statement(s) previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered).
  - Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - Other
- Enclosed
  - Amendment/Reply
  - Affidavit(s)/Declaration(s)
  - Information Disclosure Statement
  - Other:

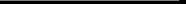
2. **Miscellaneous**

- Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- Other:

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
  - RCE fee required under 37 C.F.R. § 1.17(e)
  - Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - Other \_\_\_\_\_
- Check in the amount of \$810.00 enclosed
- Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Eric J. Robinson	Registration No. (Attorney/Agent)	38,285
Signature		Date	December 30, 2008

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Tiffany S. Banks		
Signature		Date	December 30, 2008

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL  
FOR FY 2009

Effective 10/02/2008. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$810.00)

Complete if Known	
Application Number	10/821,848
Filing Date	April 12, 2004
First Named Inventor	Kazuhiko MIYATA et al.
Examiner Name	Con P. Tran
Group Art Unit	2614
Attorney Docket No.	0756-7278

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-2280

Deposit Account Name Robinson Intellectual Property Law Office

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17 and  
credit overpayments

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit Card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1001	330	2001 165 Utility filing fee	
1111	540	2111 270 Search fee	
1311	220	2311 110 Examination fee	
Over 100 Sheets/270 for each additional 50			

SUBTOTAL (1) 

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims			

Large Entity Fee Code	Small Entity Fee Code	Fee Description	(\$)
1202	52	2202 26 Claims in excess of 20	
1201	220	2201 110 Independent claims in excess of 3	
1203	390	2203 195 Multiple dependent claim, if not paid	
1204	220	2204 110 ** Reissue independent claims over original patent	
1205	52	2205 26 ** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)  (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65 Surcharge - late filing fee or oath	
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130 Non-English specification	
1812	2,520	1812	2,520 For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action	
1251	130	2251	65 Extension for reply within first month	
1252	490	2252	245 Extension for reply within second month	
1253	1,110	2253	555 Extension for reply within third month	
1254	1,730	2254	865 Extension for reply within fourth month	
1255	2,350	2255	1,175 Extension for reply within fifth month	
1401	540	2401	270 Notice of Appeal	
1402	540	2402	270 Filing a brief in support of an appeal	
1403	1,080	2403	540 Request for oral hearing	
1451	1,510	1451	1,510 Petition to institute a public use proceeding	
1452	540	2452	270 Petition to revive - unavoidable	
1453	1,620	2453	810 Petition to revive - unintentional	
1501	1,510	2501	775 Utility issue fee (or reissue)	
1502	860	2502	430 Design issue fee	
1503	1,190	2503	595 Plant issue fee	
1462	400	1462	400 Petitions, Group I	
1463	200	1463	200 Petition, Group II	
1464	130	1464	130 Petitions, Group III	
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180 Submission of Information Disclosure Stmt	
8021	40	8021	40 Recording each patent assignment per property (times number of properties)	
1809	810	2809	405 Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	810	2810	405 For each additional invention to be examined (37 CFR § 1.129(b))	
1801	810	2801	405 Request for Continued Examination (RCE)	\$810.00
1802	900	1802	900 Request for expedited examination of a design application	

Other fee (specify) Terminal Disclaimer

\* Reduced by Basic Filing Fee Paid  SUBTOTAL (3)  \$810.00

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 30, 2008

*Boas*

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Eric J. Robinson	Registration No. (Attorney/Agent)	38,285	Telephone (571) 434-6789
Signature			Date	December 30, 2008